2:Seligman & Seligman E-5 (1909-1910) 1932
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to the bride-wealth of her brother's son. She may demand the cattle for her brother's son from her own husband, and he will always give them; should he refuse she might threaten to leave him. We were told that a boy who had no *waja*, *nywaja*, or sister, would be poor indeed. The two latter do not actually contribute, but in the lad's position of *una* to his *nywaja* and brother to his sister he gets a portion of the bride-wealth given on their marriage.

We could obtain little reliable information relating to age-classes or similar organizations, and formed the opinion that the institution was of little importance and was probably dying out, and that neither knocking out teeth or scarring the forehead could properly be regarded as a puberty rite.[1] Both girls and boys—except the royal family down to the *kwanyireth*—have the four lower incisors knocked out, but no reason could be discovered. Mr. Heasty informs us that the lower milk incisors are taken out—or the young teeth may be burnt away—in babies so young that the teeth may not have come through the gum. This is done both by *kwareth* and commoners, lest the child should become ill or die. The permanent teeth are removed in the tenth or eleventh year and buried near the parents' house. Girls and boys are treated separately in groups, but we could not discover that the operation gave rise to any social bond. Here we may add that to knock out a man's front teeth (presumably this refers to the upper jaw) is considered a grave offence, and in the old days a fine of ten head of cattle was imposed.

Foreheads are scarred at much the same age or a little later, two or three lines of scars, called *tai*, being made, which in the young stand out like beads across the brow and are regarded as greatly enhancing the appearance. This also is done in groups by some man who is expert at the work. Forehead scarring seems to come nearer to being an initiation ceremony in the common use of the term, and at this period the lads cease to sleep in their parents' hut, they go to the cattle byre and beat the drums and take full part in the dances. It is true that lads do dance before this, but rather in play and more as imitators than participators, whereas after head scarring the dance becomes an important occupation with great social significance, for when a lad dances with the warriors he is considered a man. Though age-classes have not the obvious social importance that they have among Nuer and Dinka, lads scarred at the same time were

[1] Mr. Heasty notes that in the neighbourhood of Doleib Hill there have been no new age-classes for many years.

periodic possession by the spirit of the early Shilluk kings. The guardians of the shrines of Nyikang may or may not be *ajuago*, for mere connection with a shrine does not automatically make a man an *ajuago*.

According to Seligman when a man becomes an *ajuago* he becomes ill and has dreams. On consulting one who is already in the profession, he is told that he has in him a spirit of one of the early kings. Special ceremonies are performed, the habits and skills marking an *ajuago* are acquired, and the man begins to practise in his professional capacity. The power is frequently hereditary and a son or daughter or even a remote relative may become possessed. All witchdoctors live celibate lives whether they are male or female. According to Seligman an *ajuago* marries wives and others beget children for him.(1) Many witchdoctors are specialists in some branch of magic but some have general powers. Some of the main tasks performed by them are: to give safety on a journey, to bring success in hunting, to bring victory in war, and to detect those who will be killed in a fight and forestall their deaths. They are believed to have the power of curing disease and also to kill by magic. The witchdoctors are essential to the community as diviners and they have the ability to ward off evil spirits and bad magic. Very often an *ajuago* possesses a 'gourd of Juok', which is a gourd with a handle upon which is an iron band. The gourd is greased and some grain is put in it. When it is shaken the grain rattles and that is presumed to be Juok talking. The gourd is kept in the *ajuago*'s house and is consulted for purposes of divination.(2)

Many of the witchdoctors exert a powerful influence over the people and, in consequence of the fees they receive, are usually prosperous.

The Jalyat

The *jalyat*, 'the man of herbs', is a sorcerer dealing essentially in bad magic, as opposed to the good magic of the *ajuago*. The *jalyat* is greatly feared. He works in secret at night so that the Shilluk are never sure who is a *jalyat*, though they will kill anyone whom they suspect of practising sorcery.

The *jalyat* is thought of as being a monorchid and, as such, he should be drowned at birth. The father alone has the power to save his son. When a sorcerer has reached maturity he cannot be killed openly unless the people of his village determine to rid themselves of the evil they believe him to be causing. The power is not considered to be hereditary. The sorcerer, in practising his evil arts, uses parts of his victim's body or things closely associated with him. He makes mud effigies and pierces them or puts them in a fire and is believed by these means to destroy the persons they represent. A sorcerer may cause sickness, bring misfortune by ruining crops, by causing cattle to go barren and so forth. Sorcerers work against children in a large family and certain accidents and deaths may be caused by their machinations. The basis of the sorcerer's intentions is considered to be envy of the successful and the prosperous, whom he therefore endeavours to injure.

(1) Seligman, *Pagan Tribes of the Nilotic Sudan*, 1932. p.101.
(2) Oyler, *S.N.R.*, 1920, Vol.III, No.1, p.114.

754 If a man knows that he is being bewitched he can get the witchdoctor to counteract the bad magic and save him. When he gets old the sorcerer may hire out his powers to help people.(1) It is a serious offence to [683] accuse a man of being a sorcerer unless it can be proved, and an accuser may be heavily fined. A sorcerer must be caught in the act if he is to be legitimately killed.

The Daiyat

Daiyat appear to be the feminine equivalents of the *jalyat*. They are not regarded as being so evil and serious in intent as the *jalyat*.

The Evil Eye (Yoop)

The Shilluk believe firmly in the power of the evil eye and that it is inherited, passing from a parent (male or female) to the children. It may also come suddenly upon a person. Those who possess it try to conceal the power from others.(2) Envy, jealousy or anger causes people with this power to bring illness or misfortune on others who are richer and more fortunate than themselves. The *ajuago* can counteract the effects of the evil eye by prayer, sacrifice and countermagic.(3)

LIFE CYCLE

BIRTH

844 About three months before her first child is born, a woman leaves her husband and returns to her parents' *gol* for the birth.(4) Immediately after the birth the mother is exhorted to confess all her previous love affairs to the woman acting as midwife and it is believed that were she not to do so she and the baby would die. The child is shown to the father [847] and his friends who wish to see that it is not a monorchid or deformed in any way. In the former case, the child would probably be killed, for it is believed that monorchids grow up to be sorcerers.(5) Cleansing cere-
846 monies are carried out a few days after birth. It is considered wrong to
842 have another child before the previous one has been weaned.

845 Twins are welcomed by the Shilluk. They are called *nuole juok* 'children of god' and have special names. Many ceremonies occur after the birth of twins.

553 Names are given soon after birth and usually refer to some incident which has occurred in the family. The birth name is retained throughout life, although an ox-name and other names are taken later.

DEATH AND FUNERAL CEREMONIES

774 According to Seligman every living man has both a *wei* and a *tipo*. The *wei* is breath or life, the *tipo*, shadow or image. In addition, the

(1) Oyler, *S.N.N.* Vol.II, 1919, No.2, p.123. (2) *Ibid.*
(3) Hofmayr, *Die Schilluk*, 1925, p.221. (4) *Ibid.*, p.271.
(5) Seligman, *Pagan Tribes of the Nilotic Sudan*, 1932, p.70.

9:Howell E-5 (1937-1950) 1952 FJ23 Shilluk FJ23

some of the beasts are sacrificed during the ceremonies and others are added to their personal herds. One must, therefore, beg the question whether those portions alleged to be the right of the *reth* were ritual fees of this nature rather than 'fines' as is so frequently stated. It is a question of interpretation, and I suggest that even though repressive action and the exaction of 'fines' may have occurred, with the backing of foreign Governments, during the latter half of the last century and the early years of the present Administration, the payments were ritual in origin and concerned the *reth*'s ritual function in society. The use of the word 'fine' appears to me to be inaccurate.

Ritual of Purification for Homicide

As among other Nilotic peoples, a Shilluk who has killed another must perform certain rites to cleanse him from impurity which might otherwise affect his kinsmen. This process involves, first, the letting of blood, which is carried out by a magical expert (*ajwogo*)[1] who makes a small incision on his right shoulder with a spear. This is known as *tai dhani*. Secondly, a small sacrifice is made (usually a sheep), the object of which is to remove the curse of the dead man's spirit. As among the Nuer and Dinka, the killer is not expected to eat or drink until this ritual has been performed.

Accidental Killing

Accidental killing (*agweny*) is apparently not regarded as a serious offence among the Shilluk, especially if the two parties are connected by kinship or by close association in one territory. Hofmayr says: 'Accidental killing requires only the sacrifice of an ox at a peace ceremony and no more.'[2] District records indicate that two head of cattle sometimes were paid. At the Shilluk Chiefs' Council in 1934 it is recorded that 'the Council do not know whether there is a definite law on this subject or not. The *reth* says that years ago it was two head of cattle, one to the relatives of the dead man, one to the *reth*. He himself suggests two head of cattle to go to the deceased's family. This is confirmed as law.' I do not think that any such fixed indemnity existed in the past, but that intention was recognized and accident accepted in mitigation of the offence. At any rate the indignation of the deceased's kinsmen would not be so acute, and they would be prepared to accept an indemnity less than that normally demanded for intentional homicide.

Bodily Injuries not causing Death

On the subject of bodily injuries less than death, the evidence is even less reliable than on homicide. It is evident that such injuries require the payment of compensation if retaliatory action is not to follow. At the same time it is perhaps surprising that among the Shilluk, unlike the Nuer and Dinka, there are no recognized injuries for which compensation is given on a definite scale. We hear that 'for injury' an immediate payment of one bull must be made as a guarantee of good faith. Subsequent settlement is made on a scale regulated by the severity of the ultimate damage and rising, in the case of blinding, to the same rate as for death. Apart from the problem of the *reth*'s intervention in matters of this sort, it may be assumed, in the absence of

amount to eight cattle out of a total of forty.

[1] *Ajwogo*: Magical expert or specialist. These persons are not comparable to the Nuer functionaries, such as the *kwar kwar*, but to the possessors of spirits (*gwan kweth*). *Ajwogo* is a derivative of *Juok*, meaning God in Shilluk.

[2] Op. cit.

9:Howell E-5 (1937-1950) 1952 FJ23 Shilluk FJ23

further evidence, that such offences were treated as private delicts in the past, though nowadays, through the influence of the Government, penal sanctions may be applied.

Witchcraft

The Dinka and Nuer tell us that witches and other anti-social persons were sometimes dispatched by their victims or their kinsmen with the tacit consent of the community. Acts of homicide against persons whose actions threatened the integrity of the community were either not subject to restitutory sanctions at all, or the compensation demanded by their kinsmen was on a much reduced scale.[1] A similar attitude towards witches is to be found among the Shilluk, but again without the support of actual examples.

In the published literature there are references to persons described variously as witches, sorcerers, magicians, medicine-men, and possessors of the evil eye,[2] and their activities and methods are described, but there are few references to the way in which they were treated. The sanction applied to witchcraft is normally counter magic consciously applied by the victim.

Hofmayr speaks of 'the *jal yat*, the evil-doer, his aim in life is to do harm, both to life and to property, either by natural means or others,' and adds that 'the *jal yat* works in the dark, but if he is caught, he will be severely punished. Often he is handed over to the people who kill him.' Hofmayr also speaks of the 'poison mixer' (again *jal yat*) who 'is hardly ever discovered. If he is caught, the people will lynch him on the spot and his relations will have to leave the district.'[3] Another passage mentions that the compensation for killing a person possessing the evil eye is only four head of cattle instead of ten. These references, supported by what the Shilluk have told me, suggest an attitude similar to that found among the Nuer and Dinka.

It might be expected that, if there were any greater development of concepts of public law, and if the *reth* performed formal judicial and executive functions, acts of this sort would be subject not to merely private retaliation with the consent of the community, but rather to repressive sanctions applied by the *reth* or his representatives. In fact there is no evidence of this. It may be noted in this connexion that there are instances recorded during the last thirty years of attempts to introduce alien cults which would clearly be subversive of the ritual status of the *reth* and, through him, of the religious foundations of Shilluk society. For this reason Shilluk who have openly practised the Dinka cult of Deng have been severely repressed.[4] There is good reason to believe that such activities would have been punished by death in the past and they are, by their very nature, public delicts amounting to acts of treason.

Conclusions

Much of the evidence so far quoted is unreliable, mainly because the authors have recorded impressions rather than facts. My own conversations with the Shilluk on the subject have been limited and perfunctory, and for this reason cannot provide

[1] For example, the Nuer *mdh* or Ghoul - see Howell and Lewis, 'Nuer Ghouls -- a form of Witchcraft', *S.N.R.* xxviii, 1947.

[2] *ajwogo*, magician, *jal yat*, sorcerer, *yuub*, possessor of the evil eye. There are many references to the activities of such persons in Hofmayr, *Die Schilluk*. See also Oyler, D. S., 'The Evil Medicine Man', *S.N.R.*, 1920.

[3] Hofmayr, op. cit.

[4] See Willis, C. A., 'The Cult of Deng', *S.N.R.*, vol. xi, p. 193.

11: Oyler M-5 (ca. 1918)1919 FJ23 Shilluk FJ23

demands a large fee, usually a cow. The patient sits down near the person who is to treat him. The latter says: «You have come near me, therefore you will not die». He then grinds up a bit of wood, and putting it in water, makes the patient drink it.

The spell of the evil eye may be cast in the presence of people, and all present even to the victim may be ignorant of what is being done, though it may be known. The man with the evil eye may be seen staring at the victim. For that reason the Shilluks do not like to have a person look them in the eye. When a person stares at a Shilluk, he usually averts his eyes, or protests.

When the evil eye has been cast on a person, he very seldom tries to discover the identity of the person who bewitched him. Should the person boast of having done it, he will be fined as though he had killed a man. The victim may have seen the person staring at him, and directly accuse him of the act, but that is not always safe, as the case is brought before a medicine man. If the person accused of casting the evil eye shows fear he is guilty, and must pay a fine equal to that paid for killing a man. If he shows no fear, it was a false accusation, and in that case the accuser must pay an equal fine for his false charge.

The motive for using the evil eye is usually envy or jealousy or anger, for the evil eye always picks a shining mark, it does not fall on poor people, nor is a poor thing bewitched. A poor man may occasionally be the victim of the evil eye, but it is always an accident, as he has eaten food that has been bewitched to catch a richer person. They take some precautions to avoid the evil eye.

If a person has some very choice food, it is covered so that the evil eye may not fall on it. Food is very often bewitched, but it is usually meat or fish that is tainted, and it is very seldom that food made from grain is affected. Food that has had the evil eye cast on it can be made fit to eat by giving some of it to a dog. They say that the dog takes off the eye. The milk of a cow that has been affected can be cleansed by taking some of it in a vessel, and pouring it on a fire. The fire is put out, and from that time the milk of that cow is safe to use. If these precautions are not taken, the food will cause nausea. After the nausea has passed, evil consequences may remain, or a person may be all right.

11: Oyler M-5 (ca. 1918)1919 FJ23 Shilluk FJ23

672 845 847 fears to trust his relatives-in-law lest they yield to the pleadings of the mother, and so he sends a messenger to see that the child is killed. Should the father permit the child to live, he is responsible for all the evil done by him. If the father is present, he gives immediate judgment, and if it is for death, the sentence is carried out immediately.

845 847 The helpless child is always killed in a certain way. A little basket is woven, and the child placed within, and then the top is also woven shut. The basket is then put in a boat, and taken to the middle of the river, where it is committed to the water. The basket is a necessity, as they think that the powers of the babe are such that without the basket to restrain him he would immediately swim ashore, and escape.

842 845 When the evil medicine man is not killed, his mother loses the power to become a mother again, and when she weeps for the death of the little one, her next child will be deformed in the same way.

682 If the father spares the child, and someone else kills it, the murderer must suffer the usual punishment for murder, which can usually be atoned for by a fine.

754 627 ●683 After an evil medicine man has reached maturity, he can not be openly killed except under certain conditions. The people of his village may tire of his evil practices and conspire to kill him accidentally. To accomplish that end they invite him to join them in the chase, and they manage to get him well to the front. When he is in the right position, they all throw at the animal, but he is their real target. When he falls, the men all cry out: "an accident", and no one is responsible for his death. They do not seek to kill such a person in their local fights lest their own side be thrown into disorder.

754 This occult power is not hereditary, but many think that the mother of an evil medicine man has some occult power, if her husband is not of that class. She does not work as the men do, and the majority seem to think that such a mother is not tainted.

The evil medicine man always works on his own initiative, and never at the request of another, and for that reason he never receives fees. He uses as his tools, owls, snakes, eggs, sodom apples, lizards, and crows. The medicine or power in these agents is the same as the power belonging to the man, and in action unite with his power to work evil.

11: Oyler M-5 (ca. 1918)1919 FJ23 Shilluk FJ23

As a class they are without mercy, and do not intercede for the children, who are killed. However, if an evil medicine man has a son afflicted in a like manner, he spares his life. They try to keep people ignorant of the fact that they have the evil power, and when someone mentions the work of the evil medicine man in the presence of one of the class, he usually says «why are they so evil?».

They belong to the dark as they always work at night, and when one is seen casting his charm on the house of another, if he tries to run away he may be killed, and no punishment is inflicted on the murderer; but if he is caught, and held, and then killed, the murderer is fined. If he is caught, he must pay a fine as though he had killed a man. It is very difficult to hold them, as they blind their captors temporarily by throwing some medicine in their eyes.

The statement is made that they usually try to cast their charms on houses where people are sick, and that accounts for some of their apparently wonderful achievements. This statement is also borne out by one case at the mission. The calves had been dying from some disease. One night an evil medicine man came, and made a great hole in the mud wall of the barn. Some object, perhaps a snake, had been dragged among the calves, and sticks were placed in a certain manner in front of the opening. The herder was in great distress, as he was sure all of the calves would die, but not another one died from that disease.

The people firmly believe in this black art, and apparently in many cases at least the victims believe themselves possessed of this power. They go out into a desert place at night, and pray thus: «You, who are God give me this person to kill. Why was I created thus if it was not that I was to kill?» If he does not succeed at the first attempt, he tries till he is successful. Their belief in their own powers is also shown by the fact that the little boys of this class work charms on their little play fellows, apparently practising their powers. Perhaps the child has heard much of his own evil powers, and he desires to learn whether or not he can do the wonderful things attributed to him, and as he tries he becomes convinced of his own power.

To call a man a *jal yat* is a serious matter even though it is a well known fact that he has the power. The person making the statement must

11: Oyler M-5 (ca. 1918)1919 FJ23 Shilluk FJ23

683 754 pay a fine unless he has caught the man actually working a charm. The accused says: «Whom have I injured in your house?». He does not try to plead that he is innocent of such work, but only that he has not injured his accuser.

754 The malignant medicine man has many means of bringing disaster to people. If he is able to get a bit of hair, the parings of the nails, spittle or any thing else that has been part of the body, or the clothing of the body, he can work a charm on it, so that the owner will die. If he is ignorant of the identity of the owner, he can do nothing with these things. For that reason, when a man cuts his hair or his nails, he either hides the [302] part removed or else puts it on a public road, so that the identity of the owner can not be learned.

A case that illustrated their belief in that power occurred here once. One afternoon a man came in great wrath with his daughter. He said someone on the place had killed his daughter that morning. As she seemed to be in good health, his statement seemed to be a little ridiculous. When asked to explain, he said that she had been carrying water, and that she had laid off her outer garment which was of calf skin. When she returned to get her garment, she found that someone had cut a piece out of it. We was sure a man with the occult power to kill had done the deed. When examined the edge of the marred place was seen to be rough. Others, who had been working were called to see if the identity of the person doing the wrong could be ascertained. At last a boy said that he had seen two pups playing with the skin and dragging it about. He had driven them away, and returned it to its place. The man was satisfied that harm had not been intended against his daughter, and she returned to work.

Over a bit of mud taken from the wall of a house, or a bit of grass from the roof, a charm can be worked that will kill the owner of the house.

When a man's club falls into the hands of one of these evil men, he buries it, which is symbolical of the burial of the owner which will soon occur, or he may kill the man by cutting the club in two, or a hoe may be given to him by the children while the older people are away. He throws the hoe into the river, and the arm of the owner is destroyed so that he can not hoe. He may also steal a cow rope or a spear and work a charm on it that will kill the owner.

11: Oyler M-5 (ca. 1918)1919 FJ23 Shilluk FJ23

All the evil medicine men keep snakes, but usually they have them in a 231
gourd or den in the fields, though a few of the most powerful have kept 754
the snakes in their houses. To deceive the people, they pretend to fear snakes.

A man, who is reliable, tells this story of a transaction he witnessed. 754
He was making a short trip. He came to a village where the people were 683
very much excited. He found that the cause of the trouble was that a sick man said he had been bewitched by an evil medicine man named Akomadul. Poor Akomadul was brought into the centre of the village, and beaten by all of the people, until at last he cried out: «Do not kill me, I did it, but I will save him. I will remove the charm I have put on him.» Akomadul then went into the house of the sick man, and took out a bit of hollow ambach wood that had been hidden in the grass of the roof. Inside of it were, a charm, an egg, and a lizard. The people were not satisfied, and they began to beat him again. He then went to the field of the afflicted man, and got a charm that had been buried there. It was a large stick with an iron ring at each end, and stretched between the rings was a lizard. He next went to the doorway of the patient, and took up a cooking vessel that had been buried there. The vessel was full of charms, eggs, and lizards. The chief of the village asked him why he wanted to kill the man, and he said: «He cursed me because I killed one of his relatives». Akomadul then took a white sheep, and said: «I will save the man». The sheep was cut open while yet alive, and the contents of the stomach were put on the patient, and on his house. The blood was put in the hole where the cooking vessel had been buried. He then said: «The man will get well; even though you kill me, he will recover». The people wanted to kill the witch, but the chief intervened to save his life. It was reported that the man recovered after a long illness.

It can easily be seen that many ills can readily be diagnosed as coming 755
from an evil medicine man. When the good medicine man has found that the malady was caused by an evil medicine man, he proceeds to break the charm. Different methods are used, but one or two will suffice. While the medicine man is working, the parents of the patient pray for him, if they are living. In case they are dead, his male relatives pray for him. The patient sits on the ground while the healer jumps over him in such a way as

29:Dempsey M-5 (1940-1954) 1955
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be telling the truth, and therefore be quite unimpeachable, but he is aware that if the verdict is given in his favour it will be, not so much because of the justice of his claim and his forensic skill in presenting it, but rather because he has promised the judge a bigger 'fee' than his opponent has.

Among the Shilluk the Christian precept of forgiveness of one's enemy does not obtain, but they follow rather the old Jewish principle of retribution for injuries inflicted, and although they will not literally demand 'an eye for an eye and a tooth for a tooth', there is a recognized scale of payment for all such injuries. The penalty for knocking a tooth out is especially severe, the aggressor having to pay the injured party a cow. For an offence against an unmarried girl, her father will claim three cows, and for adultery the fine is four cows. Woe betide the offender who refuses to pay up; he will be wise to keep clear of the district in which the injured party lives, for the relatives of the latter will most surely wreak their vengeance on his person. In the case of homicide, blood payment of ten or more cattle is demanded, quite apart from any penalty that the law may inflict, but sometimes the grief-stricken relatives of the dead person will fulfil quite literally the commandment 'The kinsman of him that was slain shall kill the murderer' (Num. 35: 19), and if perchance he is already in custody and out of their reach will exact vengeance on one of his male relatives. Then the family of the second victim will strive to vindicate their manhood by a raid on the other village and more killings may take place and the feud develop into a minor war, till such time as police can be got to the place and the culprits are arrested.

A grim instance of vendetta occurred in the Lul district a few years ago. A quarrel arose among some youths, tempers rose, a blow was struck and the unlucky recipient died. The aggressor was arrested and sent to Malakal for trial, but a few days later his home was raided and his father murdered as he sat defenceless at his supper. Before police could arrive from Kodok or Malakal, the village of the dead youth was